

REMARKS

In accordance with the foregoing, two paragraphs at page 9 of the specification have been amended for improving clarify and consistency of terminology as between the specification and the drawings, pending claims 1-14 have been amended to improve form, and further, independent claims 1 and 8 have been amended to clarify salient features of the invention. No new matter is presented, and accordingly, approval and entry of the foregoing specification and claim amendments are respectfully requested.

STATUS OF CLAIMS

Claims 1-14 are pending herein and all thereof are rejected.

ITEM 2: REJECTION OF CLAIMS 1-14 FOR ANTICIPATION UNDER 37 U.S.C. 102 (e) BY YOO (USP 6,519,062)

The rejection is respectfully traversed.

The foregoing amendments to independent claims 1 and 8 clearly define that each sub-network has an IP address, and a wavelength converting unit controls oscillation frequencies to conform with an IP address of a destination sub-network.

At page 2 of the Office Action, regarding claims 1 and 8, the Examiner states that Yoo discloses "a plurality of WDM nodes (reference numeral 114 in Fig. 4) each corresponding to each of a plurality of sub-networks" (reference numeral 102 in Fig. 4).

However, Yoo fails to disclose that, for the plurality of sub-networks, each has an IP address.

Further, in Yoo, the reference numeral 114 indicates a Supernet optical router or an optical router -- but Yoo does not suggest, much less teach, that the Supernet optical router works to control oscillation frequencies to conform with an IP address of a destination sub-network, as defined in each of claims 1 and 8. Accordingly, it is respectfully submitted that Yoo fails to anticipate the independent claims 1 and 8.

Further, the remaining claims 2-7 and 9-14 depend on the independent claims 1 and 8, respectively, and thus inherit the patentably distinguishing limitations of their respective independent claims and likewise are not anticipated by Yoo.

Moreover, the dependent claims introduce yet further patentably distinguishing recitations, reinforcing the lack of any anticipation thereof by Yoo. For example, claims 2 and 9 are not anticipated by Yoo, because in relation to claim 1, Yoo does not indicate that each of WDM nodes includes "a routing table storing the IP address of the corresponding sub-network...."

Claims 3 and 10, likewise, are not anticipated by Yoo, since reciting "the IP address of a sub-network" – and, accordingly, Yoo does not anticipate the subject matter of claims 3 and 10.

With respect to dependent claims 6, 7, 13 and 14, and in spite of the Examiner's contentions regarding same, Yoo does not disclose "a plurality of selectable paths" being set with "the priority being registered for each path."

Contrary to the recitations of claims 6, 7, 13 and 14, Yoo discloses a priority-based differentiated Class of Service (CoS). The priority-based differentiated Class of Service may cause dropping of some packets rather than delay the transport -- but Yoo does not disclose or even suggest a plurality of selectable paths being set with the priority registered for each path.

Accordingly, it is respectfully submitted that the pending claims distinguish over the reference and the rejections of records and that the same should be withdrawn.

CONCLUSION

In accordance with the foregoing, it is submitted that the pending claims patentably distinguish over Yoo and, there being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Serial No. 10/821,922

Docket No.: 1081.1198

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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By: 

H. J. Staas

Registration No. 22,010

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501